

AMENDED IN SENATE JUNE 26, 2006

AMENDED IN ASSEMBLY MAY 26, 2006

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AMENDED IN ASSEMBLY APRIL 19, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

## ASSEMBLY BILL

**No. 2448**

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**Introduced by Assembly Member Hancock  
(Principal coauthor: Assembly Member Wyland)**

February 23, 2006

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An act to amend Sections 46160, 52301, 52302.3, 52302.5, 52303, 52314, 52314.5, ~~and 52315~~ 52315, *and 52321* of, to amend and repeal Section 52302.7 of, to add Sections 52302.2, 52302.8, 52334.5, and 52335.12 to, *to add Article 1.4 (commencing with Section 78018) to Chapter 1 of Part 48 of*, to repeal Sections 52314.6, 52314.7, 52325, 52326, 52335.7, 52335.8, 52335.9, and 52335.10 of, and to repeal and add Section 52302 of, the Education Code, relating to regional occupational centers and programs.

### LEGISLATIVE COUNSEL'S DIGEST

AB 2448, as amended, Hancock. Regional occupational centers and programs: administration.

(1) Existing law permits the governing board of a school district that maintains a junior high or high school to schedule classes so that each pupil attends classes for at least 1,200 minutes during any 5-school day period. Existing law permits a pupil to be authorized to

attend school for less than the total number of days in which the school is in session per week as long as the pupil attends the required number of minutes per 5-school day period.

This bill also would permit a school to schedule classes so that each pupil attends 2,400 minutes during any 10-school day period and ~~permits~~ *would permit* a pupil to attend school fewer days per week to accommodate career technical education and regional occupational center and program courses and block or other alternative school class schedules as long as the pupil attends the required minutes per 10-school day period.

(2) Existing law authorizes the county superintendent of schools of each county, with the consent of the state board, to establish and maintain at least one regional occupational center, or regional occupational program, in the county to provide education and training in career technical courses.

Existing law requires the county superintendent of schools or school districts sponsoring the regional occupational center or program to conduct a job market study in the labor market area in which it proposes to establish the center or program to ensure that the anticipated employment demand for trainees justifies the establishment of the proposed courses of instruction.

This bill, instead, would require the governing board of each regional occupational center or program, on or before July 1, 2010, to ensure that at least 90% of all state-funded courses offered by the center or program are part of occupational course sequences that target high-skill occupations that are ~~in-demand in the region~~ *in demand*, as specified. The bill would make compliance with this and related requirements a condition of receiving funds provided under the federal Carl D. Perkins Vocational and Applied Technology Education Act of 1998. The bill would require the State Department of Education, with the assistance of the Office of the Chancellor of the California Community Colleges to meet with each program or center in the region during the 2009–10 fiscal year to ~~verify~~ *validate that* the required course sequences have been developed, to provide specified assistance, and to waive certain requirements as specified.

(3) Existing law includes providing individual counseling and guidance in career technical matters, providing a curriculum that includes skill training in occupational fields having current and future needs for the training, and providing an opportunity for pupils to acquire entry level career technical skills that may lead to a

combination work-study schedule as some of the purposes of a regional occupational center or program.

This bill would require the governing board of each regional occupational center or program to establish and maintain an employer advisory board for each occupational area in which the center or program offers course sequences, as specified.

(4) Existing law requires every career technical course or program offered by a school district or county superintendent sponsoring a regional occupational center or program to be reviewed every 2 years, as specified, and requires any course or program that does not meet the requirements and specified standards to be terminated within one year.

This bill would delete the requirement that the review process include review and comments by a specified local private industry council and *would* delete the limitation that the review only apply to courses or programs that began subsequent to the effective date of the provisions.

The bill would require the department to conduct monitoring reviews of each regional occupational center or program at least once every 4 years, within existing resources, as specified.

(5) Existing law requires a regional occupational center or program to do specified things, including ~~provide~~ *providing* skill training.

This bill would revise the requirements to include a sequence of academic and skill instruction leading to an employer-endorsed skill certificate and vocational degree or certificate programs at a community college.

(6) Existing law authorizes a regional occupational center to provide, on an individual referral basis, academic and personal development instruction for adult students enrolled in a career technical education course conducted by the regional occupational center when it is determined that it is essential for this instruction to be given to ensure the employability of the adult student.

This bill would make that provision inoperative on June 30, 2010, and repeal it as of January 1, 2011.

(7) Existing law limits attendance at a regional occupational center or program to pupils who are 16 years of age or older, with certain exceptions.

This bill would revise the specified exceptions to include pupils who are less than 16 years of age and are referred to the center or program as part of a comprehensive high school plan that has been approved by

a school counselor or school administrator and the pupils' parents or guardians and who have individualized education programs that prescribe occupational training for which their enrollment in a regional occupational center or program is deemed appropriate. The bill would also allow the attendance of a pupil who is enrolled in grade 10 and has an approved comprehensive high school plan and whose admission will not result in the denial of admission or displacement of pupils in grades 11 and 12 that would otherwise participate in the regional occupational center or program. The bill also would prohibit adult students from enrolling in regional occupational center or program courses during the schoolday on a high school campus unless specifically authorized by the policy of the governing board of the school district.

(8) Existing law requires the average daily attendance claimed for pupils admitted to a regional occupational center or program is calculated in specified ways.

This bill would remove specified provisions related to average daily attendance calculations. The bill also would eliminate the provision specifying that a minimum day in a regional occupational center is 180 minutes and that a minimum day in a regional occupational program is 60 minutes. ~~This~~ *The bill would revise the maximum daily attendance that may be claimed for students not enrolled in grades 9 to 12, inclusive. The bill would require each regional occupational center or program, commencing with the 2007–08 fiscal year, and each fiscal year thereafter, to use all growth average daily attendance, as specified, exclusively to serve pupils in grades 9 to 12, inclusive. The bill would also repeal various obsolete provisions of law governing the calculation of the average daily attendance generated by a regional occupational center or program in prior years.*

The bill would require a regional occupational center or program to report annually to the department the academic progress of its secondary pupils, as specified, in order to receive specified, additional average daily attendance ~~and conditions~~. ~~The bill would condition the operation of the~~ *this provision on the ability to disaggregate relevant data from the California longitudinal pupil achievement data system database.*

(9) *Existing law authorizes any regional occupational center or program to budget and accumulate an amount necessary to meet its cashflow needs known as a general reserve and budget and accumulate amounts known as the designated fund balance and as the*

*unappropriated fund balance. Existing law authorizes regional occupational centers or programs established and maintained by school districts or joint powers agencies to budget an amount necessary to meet long-term program needs of the regional occupational center or program known as capital outlay expenditures or equipment replacement.*

*This bill, instead, would authorize any regional occupational center or program to budget and accumulate amounts necessary to meet its long-term program needs in a separate account known as the capital outlay and equipment replacement reserve account, which is part of the designated fund balance. The bill would make other changes related to these accounts and to the ending balances of certain accounts. The bill would require the Superintendent of Public Instruction to require an annual certification by school districts, county superintendents of schools, and joint power agencies commencing in the 2007–08 fiscal year that the regional occupational center or program funds have been expended as provided, and requires the Superintendent to withhold certain funds, as provided.*

*(10) Existing law establishes community college education programs.*

*This bill would require a community college, upon receiving federal funds provided under the federal Carl D. Perkins Vocational and Applied Technology Act of 1998, or any successor thereof, to develop a plan for enabling the development of course sequences that span courses provided in kindergarten and grades 1 to 12, inclusive, courses provided by regional occupational centers or programs, and courses provided by community college vocational education programs. The bill would require the plan to be adopted by the governing board of the community college district on or before July 1, 2008. Copies of the plan would be required to be submitted to the appropriate school districts and regional occupational centers or programs, and the chancellor.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 46160 of the Education Code is  
2 amended to read:

1 46160. Notwithstanding any other provision of law, the  
2 governing board of a school district that maintains a junior high  
3 school or high school may schedule classes in these schools so  
4 that each pupil attends classes for at least 1,200 minutes during  
5 any five-school day period or 2,400 minutes during any  
6 10-school day period.

7 Under that kind of schedule, any pupil may be authorized to  
8 attend school for less than the total number of days in which the  
9 school is in session as long as the pupil attends the required  
10 number of minutes per five-school day period or per  
11 10-school day period to accommodate career technical education  
12 and regional occupational center and program courses and block  
13 or other alternative school class schedules.

14 Computations authorized by this section shall not result in an  
15 increase in state apportionments to a school district.

16 *SEC. 2. Section 52301 of the Education Code is amended to*  
17 *read:*

18 52301. (a) (1) The county superintendent of schools of each  
19 county, with the consent of the ~~State Board of Education~~ *state*  
20 *board*, may establish and maintain, or with one or more counties  
21 may establish and maintain, ~~at least one~~ *a* regional occupational  
22 center, or regional occupational program, in the county to  
23 provide education and training in career technical courses. The  
24 governing boards of any school districts maintaining high  
25 schools in the county may, with the consent of the ~~State Board of~~  
26 ~~Education~~ *state board* and of the county superintendent of  
27 schools, cooperate in the establishment and maintenance of a  
28 regional occupational center or program, except that if a school  
29 district also maintains 500 or more schools, its governing board  
30 may establish and maintain one or more regional occupational  
31 centers or programs, without those restrictions. A regional  
32 occupational center or program may be established by two or  
33 more school districts maintaining high schools through the use of  
34 the staff and facilities of a community college or community  
35 colleges serving the same geographic area as the school districts  
36 maintaining the high schools, with the consent of the ~~State Board~~  
37 ~~of Education~~ *state board* and the county superintendent of  
38 schools.

39 The

(2) *The* establishment and maintenance of a regional occupational center or program, by two or more school districts may be undertaken pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code. In a regional occupational center or program, the functions of the county auditor undertaken pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code shall be performed by the county superintendent of schools in a county in which the board of supervisors has transferred educational functions from the county auditor to the county superintendent of schools pursuant to Sections 42649, as added by Chapter 533 of the Statutes of 1977, and 85265.5. If a school district or school districts establish and maintain a regional occupational center or program, pursuant to this chapter, the county superintendent of schools may, with the consent of the ~~State Board of Education~~ *state board*, establish and maintain a separate regional occupational center or centers or program or programs.

(b) Notwithstanding other provisions of this section, a single school district located in a class 1 county, as defined in Section 1205, and having an average daily attendance of 50,000 or more, or a single school district located in a class 2 county, as defined in Section 1206, and having an average daily attendance of 100,000 or more, may apply to the ~~State Board of Education~~ *state board* through the county superintendent of schools for permission to establish a regional occupational center or program. Except as provided in subdivision (c), the ~~State Board of Education~~ *state board* shall, within 90 days of receipt of an application, prescribe a procedure whereby the *school* district may establish a center or program in accordance with its application and in compliance with the provisions of the State Plan for Career Technical Education. The county superintendent of schools may supervise establishment of the center or program.

(c) (1) ~~The State Board of Education~~ *state board* may disapprove a waiver application submitted by a single school district pursuant to Article 3 (commencing with Section 33050) of Chapter 1 of Part 20 for permission to establish a regional occupational center or program which does not meet the requirements of this section if the *state* board determines that the establishment of the center or program would have an adverse

1 effect upon existing regional occupational centers or programs  
2 located in school districts which are contiguous to the applicant  
3 school district.

4 ~~The State Board of Education~~

5 (2) *The state board* shall establish criteria to measure adverse  
6 effect. The criteria shall include, but not be limited to, hardship  
7 on ~~(1) (A) school~~ districts operating regional occupational centers  
8 or programs which are contiguous to the applicant *school* district  
9 and ~~(2) students (B) students of school~~ districts operating  
10 regional occupational centers or programs ~~which that~~ are  
11 contiguous to the applicant *school* district.

12 (d) Notwithstanding any other provision of law, any regional  
13 occupational center or program operated by a single *school*  
14 district under ~~provisions of~~ Section 33050 shall be granted  
15 permanent status if the single *school* district has previously been  
16 granted two waivers from the ~~State Board of Education~~ *state*  
17 *board* to operate a single *school* district regional occupational  
18 center or program and the single *school* district maintains at least  
19 three but not more than five comprehensive high schools within  
20 the *school* district. The revenue limit for a regional occupational  
21 center or program established under this subdivision shall be the  
22 lower of either: (1) the revenue limit under which the center or  
23 program operates as of January 1, 1985, or (2) the ~~district's~~  
24 revenue limit *of the school district* as of January 1, 1985, except  
25 that this revenue limit shall be subject to annual percentage  
26 cost-of-living adjustments provided for regional occupational  
27 centers and programs. The governing board of the school district  
28 shall retain authority to decide whether or not to operate the  
29 regional occupational center or program under this subdivision.

30 ~~SEC. 2.~~

31 *SEC. 3.* Section 52302 of the Education Code is repealed.

32 ~~SEC. 3.~~ ~~Section 52302 is added to the Education Code, to~~  
33 ~~read:~~

34 ~~52302. (a) On or before July 1, 2010, the governing board of~~  
35 ~~each regional occupational center or program shall ensure that at~~  
36 ~~least 90 percent of all state-funded courses offered by the center~~  
37 ~~or program are part of occupational course sequences that target~~  
38 ~~high-skill occupations that are in demand in the region. Each~~  
39 ~~occupational sequence shall do all of the following:~~



1     ~~(1) Result in an occupational skill certificate that has been~~  
2     ~~approved by the employer advisory board created pursuant to~~  
3     ~~Section 52302.2.~~

4     ~~(2) Provide prerequisite courses that are needed to enter~~  
5     ~~vocational certificate or degree programs offered by the~~  
6     ~~community college serving the same region in those occupational~~  
7     ~~areas in which both the program or center and the community~~  
8     ~~college offer instruction.~~

9     ~~(3) Focus on high-skill occupations that offer high entry-level~~  
10    ~~wages or the possibility of significant wage increases after a few~~  
11    ~~years on the job, or both.~~

12    ~~(4) Offer as many courses as possible that have been approved~~  
13    ~~by the University of California as courses meeting the “A-G”~~  
14    ~~admissions requirements.~~

15    ~~(b) On or before July 1, 2007, the governing board of each~~  
16    ~~regional occupational center or program shall approve a plan for~~  
17    ~~transforming its courses into sequences of courses, as required in~~  
18    ~~subdivision (a). In developing the plan, each regional~~  
19    ~~occupational program or center shall consult with school districts~~  
20    ~~and community college districts located within the region served~~  
21    ~~by the program or center, and with the relevant local workforce~~  
22    ~~investment board to ensure that the plan does all of the following:~~

23    ~~(1) Meets the vocational education needs of high school pupils~~  
24    ~~in the region.~~

25    ~~(2) Creates sequences of courses that begin with middle or~~  
26    ~~high school introductory courses, including occupational skill~~  
27    ~~courses provided by high schools or regional occupational~~  
28    ~~programs or centers, and focus on high-skill occupations that~~  
29    ~~offer high entry-level wages or the possibility of significant wage~~  
30    ~~increases after a few years on the job, or both, or culminate in~~  
31    ~~community college certificate or degree programs.~~

32    ~~(3) Avoids duplication of vocational course offerings among~~  
33    ~~high schools, regional occupational centers or programs, and~~  
34    ~~community colleges.~~

35    ~~(4) Maximizes the use of local, state, and federal resources in~~  
36    ~~helping high school pupils enter high-skill occupations or~~  
37    ~~continued education in college, or both, after graduating from~~  
38    ~~high school.~~

39    ~~(c) Prior to approving the plan, the board of the regional~~  
40    ~~occupational center or program shall seek approval of the plan~~

1 from all school districts serving grades 9 to 12, inclusive, within  
2 the region served by the regional occupational center or program.  
3 If fewer than 60 percent of the districts in the region serving high  
4 school pupils approve the plan, the regional occupational center  
5 or program shall revise the plan and resubmit it to the districts for  
6 approval.

7 (d) ~~As a condition of receiving federal funds provided under~~  
8 ~~the Carl D. Perkins Vocational and Applied Technology~~  
9 ~~Education Act of 1998 (20 U.S.C. Sec. 2301 et seq.), or any~~  
10 ~~succcessor, school districts, regional occupational centers or~~  
11 ~~programs, and community college districts shall do all of the~~  
12 ~~following:~~

13 (1) ~~Develop course sequences that meet the requirements of~~  
14 ~~this section according to the schedule set forth in this paragraph.~~  
15 ~~Failure to implement sequences according to this schedule shall~~  
16 ~~make the school district, regional occupational center or~~  
17 ~~program, and community college district ineligible to earn~~  
18 ~~federal vocational education funds until the status of~~  
19 ~~implementation meets the requirements of this subdivision.~~

20 (A) ~~On or before January 1, 2008, school districts, regional~~  
21 ~~occupational centers or programs, and community college~~  
22 ~~districts shall have adopted an approved plan as required under~~  
23 ~~this section.~~

24 (B) ~~On or before July 1, 2008, school districts, regional~~  
25 ~~occupational centers or programs, and community college~~  
26 ~~districts shall have established course sequences as required~~  
27 ~~under this section that include at least one-third of the courses~~  
28 ~~offered by the regional occupational center or program in~~  
29 ~~occupational areas in which both the program or center and the~~  
30 ~~community college offer instruction.~~

31 (C) ~~On or before July 1, 2009, school districts, regional~~  
32 ~~occupational centers or programs, and community college~~  
33 ~~districts shall have established course sequences as required~~  
34 ~~under this section that include at least two-thirds of the courses~~  
35 ~~offered by the regional occupational center or program in~~  
36 ~~occupational areas in which both the program or center and the~~  
37 ~~community college offer instruction.~~

38 (2) ~~Provide pupils who are participating in vocational~~  
39 ~~sequences with information and experiences designed to increase~~  
40 ~~their postgraduation work and school options. This information~~

1 and experiences shall include, but is not limited to, all of the  
2 following:

3 (A) Information about the admissions requirements of the  
4 University of California and California State University.

5 (B) Information about the placement requirements of the local  
6 community college or colleges.

7 (C) Information about higher education options that would  
8 allow pupils to continue study in the occupational area that is the  
9 focus of the vocational sequence.

10 (D) Visits to local colleges and universities that offer  
11 programs that allow pupils to gain additional skills and degrees  
12 in the occupational area that is the focus of the vocational  
13 sequence.

14 (E) Information and referrals to employers in the region that  
15 hire persons with the occupational skills that are the focus of the  
16 vocational sequence, including, but not limited to, internships,  
17 summer employment opportunities, and employment  
18 opportunities for pupils after graduation from high school.

19 (e) (1) The department shall, with the assistance of the Office  
20 of the Chancellor of the California Community Colleges, meet  
21 with each program or center and the community college or  
22 colleges in the region during the 2009-10 fiscal year to verify  
23 that course sequences meeting the requirements of this section  
24 have been developed.

25 (2) The department and the Office of the Chancellor shall  
26 provide technical assistance to programs or centers and  
27 community colleges that have developed articulated sequences  
28 for less than half of the courses offered by the program or center.

29 (3) The Superintendent may waive the requirements of  
30 paragraph (2) of subdivision (b) and subdivision (d) for programs  
31 or centers and community colleges located in rural areas of the  
32 state if the Superintendent finds that development of sequences is  
33 infeasible because of the distance, travel time or safety between  
34 the center or program and the community college.

35 SEC. 4. Section 52302 is added to the Education Code, to  
36 read:

37 52302. (a) On or before July 1, 2010, the governing board of  
38 each regional occupational center or program shall ensure that  
39 at least 90 percent of all state-funded courses offered by the  
40 center or program are part of occupational course sequences

1 *that target comprehensive skills in occupations that are in*  
2 *demand. Each occupational sequence shall do all of the*  
3 *following:*

4 *(1) Result in an occupational skill certificate developed in*  
5 *cooperation with the appropriate employer advisory board*  
6 *created under Section 52302.2.*

7 *(2) Provide prerequisite courses that are needed to enter*  
8 *apprenticeship, or postsecondary vocational certificate or degree*  
9 *programs. Where possible, sequenced courses shall be linked to*  
10 *certificate and degree programs in the region.*

11 *(3) Focus on occupations requiring comprehensive skills*  
12 *leading to high entry-level wages or the possibility of significant*  
13 *wage increases after a few years on the job, or both.*

14 *(4) Offer as many courses as possible that have been approved*  
15 *by the University of California as courses meeting the “A-G”*  
16 *admissions requirements.*

17 *(b) (1) On or before July 1, 2008, the governing board of*  
18 *each regional occupational center or program, in conjunction*  
19 *with the superintendents of the school districts served by the*  
20 *center or program and presidents of community colleges in the*  
21 *area, shall develop a plan for establishing sequences of courses,*  
22 *and certify to the department, that those sequences have been*  
23 *developed, as described in subdivision (a).*

24 *(2) The plan shall be presented at a public hearing by the*  
25 *governing board of each school district served by the regional*  
26 *occupational center or program and by the county board of*  
27 *education.*

28 *(3) Community college boards with identified articulated*  
29 *programs shall also review the plans in a public session.*

30 *(4) In developing the plan, each regional occupational*  
31 *program or center shall consult with school districts and*  
32 *community college districts located within the region served by*  
33 *the program or center, and with the relevant occupational*  
34 *advisors and local workforce investment board to ensure the plan*  
35 *meets the vocational education needs of high school pupils in the*  
36 *region by providing sequences of courses that begin with middle*  
37 *or high school introductory courses, including, but not limited to,*  
38 *occupational skill courses provided by high schools or regional*  
39 *occupational programs or centers.*

1     (5) *The plan shall maximize the use of local, state, and federal*  
2 *resources in helping high school pupils enter comprehensive skill*  
3 *occupations, or apprenticeship programs, or continue education*  
4 *in college, or all of these, after graduating from high school.*

5     (6) *The plan shall include strategies for filling any gaps in*  
6 *courses or other services needed to make the sequences effective*  
7 *in meeting the needs of pupils in developing skills and attending*  
8 *community college upon graduation from high school.*

9     (7) *Each center or program shall submit a copy of the*  
10 *approved plan to the appropriate community college or colleges*  
11 *in the region and the Superintendent on or before July 1, 2008.*  
12 *Every four years after this date, each center and program shall*  
13 *submit an update to the plan to the local community college or*  
14 *colleges and the Superintendent.*

15     (c) *Upon receiving federal funds provided under the Carl D.*  
16 *Perkins Vocational and Applied Technology Education Act of*  
17 *1998 (20 U.S.C. Sec. 2301 et seq.), or any successor thereof,*  
18 *school districts, regional occupational centers or programs, and*  
19 *community college districts shall do all of the following:*

20     (1) *Develop course sequences that meet the requirements of*  
21 *this section according to the schedule set forth in this paragraph.*

22     (A) *On or before July 1, 2008, school districts, regional*  
23 *occupational centers or programs, and community college*  
24 *districts shall have adopted an approved plan as required under*  
25 *this section.*

26     (B) *On or before July 1, 2009, school districts, regional*  
27 *occupational centers or programs, and community college*  
28 *districts shall have established course sequences as required*  
29 *under this section that include at least one-third of the courses*  
30 *offered by the regional occupational center or program in*  
31 *occupational areas in which both the program or center and the*  
32 *community college offer instruction.*

33     (C) *On or before July 1, 2010, school districts, regional*  
34 *occupational centers or programs, and community college*  
35 *districts shall have established course sequences as required*  
36 *under this section that include at least two-thirds of the courses*  
37 *offered by the regional occupational center or program in*  
38 *occupational areas in which both the program or center and the*  
39 *community college offer instruction.*

(2) *Provide pupils who are participating in vocational sequences with information and experiences designed to increase their postgraduation work and school options, including, but not limited to, all of the following:*

(A) *Information about the admissions requirements of the University of California and California State University.*

(B) *Information about the placement requirements of the local community college or colleges.*

(C) *Information about higher education options related to the pupil's interests.*

(D) *Encourage visits to local colleges and universities offering programs that allow pupils to gain additional skills and degrees in related occupations.*

(E) *Information and referrals to employers for internships, summer employment opportunities, and employment after graduation from high school.*

(d) (1) *The department, with the assistance of the Office of the Chancellor of the California Community Colleges, shall meet with each program or center and the community college or colleges in the region no later than the 2009–10 fiscal year to validate that course sequences meeting the requirements of this section have been developed.*

(2) *The department and the office of the chancellor shall provide technical assistance to programs or centers and community colleges that have developed articulated sequences for less than half of the courses offered by the program or center.*

(3) *The Superintendent may waive the requirements of subdivision (a) for programs or centers and community colleges located in rural areas of the state if the Superintendent finds that development of sequences is infeasible because of the distance, travel time, or safety between the center or program and the community college.*

**~~SEC. 4.~~**

**SEC. 5.** Section 52302.2 is added to the Education Code, to read:

52302.2. (a) The governing board of each regional occupational center or program shall establish and maintain an employer advisory board for each occupational area in which the center or program offers course sequences. The advisory board shall do all of the following:

1 (1) ~~Approve~~ *Assist in the development of* skill certificates that  
2 identify the skills and knowledge that pupils completing an  
3 occupational course sequence are expected to acquire upon  
4 completing the sequence. The advisory board also shall approve  
5 the measures and criteria ~~that are proposed to be used to evaluate~~  
6 ~~whether pupils actually, and methods to evaluate whether pupils~~  
7 *actually* acquired the identified skills and knowledge.

8 (2) Review at least once a year whether pupils who are  
9 assessed as having met the requirements for a skill certificate  
10 possess the skills needed for success in employment in that  
11 occupation.

12 (3) ~~Certify that~~ *Review* the specific occupational sequences  
13 offered by the regional occupational center or program train  
14 pupils for jobs that are in demand ~~in the region~~ and offer high  
15 beginning salaries or the potential for significant wage increase  
16 after several years on the job.

17 (4) Assist the regional occupational center or program in  
18 developing internships, paid summer employment, and  
19 post-graduation employment opportunities for pupils  
20 participating in the course sequences.

21 (5) Assist the regional occupational center or program in  
22 creating college scholarships for pupils participating in the  
23 course sequences.

24 (b) Employer advisory boards shall be composed of at least  
25 five representatives of businesses or government agencies that  
26 hire a significant number of employees each year and require the  
27 skills and knowledge that are taught in the course sequence or  
28 sequences in that occupational area. The department shall  
29 develop regulations guiding the establishment of these boards.

30 (c) Regional occupational centers or programs operated either  
31 in a rural county of the sixth or seventh class with school districts  
32 that generate a combined average daily attendance of under  
33 ~~13,000~~ 13,800 or in a county that has only one school district that  
34 generates an average daily attendance of under 13,000, may  
35 designate a local business or industry organization as the  
36 advisory board and consult with the leadership of the local  
37 business or industry organization to determine skill needs in the  
38 region and emerging job market needs. For purposes of this  
39 section, the local business organization may be designated as the  
40 advisory board for the regional occupational center or program.

1     ~~SEC. 5.~~

2     SEC. 6. Section 52302.3 of the Education Code is amended to  
3 read:

4     52302.3. (a) Every career technical course or program  
5 offered by a school district or districts or county superintendent  
6 or superintendents sponsoring a regional occupational center or  
7 program shall be reviewed every two years by the appropriate  
8 governing body to assure that each course or program does all of  
9 the following:

10     (1) Meets a documented labor market demand.

11     (2) Does not represent unnecessary duplication of other  
12 ~~manpower~~ *jobskills* training programs in the area.

13     (3) Is of demonstrated effectiveness as measured by the  
14 employment and completion success of its pupils.

15     (b) Any course or program that does not meet the requirements  
16 of subdivision (a) and the standards promulgated by the  
17 governing body shall be terminated within one year.

18     ~~SEC. 6.~~

19     SEC. 7. Section 52302.5 of the Education Code is amended to  
20 read:

21     52302.5. A regional occupational center or regional  
22 occupational program shall do all of the following:

23     (a) Provide individual counseling and guidance in career  
24 technical matters.

25     (b) Provide a curriculum that includes a sequence of academic  
26 and skill instruction in specific occupational fields leading to an  
27 ~~employer-endorsed skill certificate and vocational degree or~~  
28 ~~certificate programs at a community college pursuant to~~  
29 *approved skill certificate and vocational degree, apprenticeship,*  
30 *or postsecondary certificate program pursuant to* paragraph (2)  
31 of subdivision (b) of Section 52302, or provide an opportunity  
32 for pupils to acquire entry-level career technical skills.

33     (c) Maintain a pupil-teacher ratio which will enable pupils to  
34 achieve optimum benefits from the instructional program.

35     (d) Assign the highest priority in services to youth from the  
36 age of 16 to 18 years, inclusive.

37     ~~SEC. 7.~~

38     SEC. 8. Section 52302.7 of the Education Code is amended to  
39 read:



1 52302.7. (a) A regional occupational center may provide, on  
2 an individual referral basis, academic and personal development  
3 instruction for adult students enrolled in a career technical  
4 education course conducted by the regional occupational center  
5 when it is determined that it is essential for this instruction to be  
6 given to ensure the employability of the adult student.

7 (b) This section shall become inoperative on June 30, 2010,  
8 and, as of January 1, 2011, is repealed, unless a later enacted  
9 statute, that becomes operative on or before January 1, 2011,  
10 deletes or extends the dates on which it becomes inoperative and  
11 is repealed.

12 ~~SEC. 8.~~

13 *SEC. 9.* Section 52302.8 is added to the Education Code, to  
14 read:

15 52302.8. (a) The Legislature hereby finds and declares that  
16 vocational training resources that are provided through regional  
17 occupational centers and programs are an essential component of  
18 the state's secondary school system and the local system of  
19 providing occupational skills training to high school pupils. For  
20 this reason, the Legislature finds and declares that these  
21 resources should be focused primarily on the needs of pupils  
22 enrolled in high school.

23 (b) On or before July 1, 2008, a regional occupational center  
24 or program may claim no more than 50 percent of the  
25 state-funded average daily attendance for which the center or  
26 program is eligible, for services provided to students who are not  
27 enrolled in grades 9 to 12, inclusive.

28 (c) On or before July 1, 2009, a regional occupational center  
29 or program may claim no more than 30 percent of the  
30 state-funded average daily attendance for which the center or  
31 program is eligible, for services provided to students who are not  
32 enrolled in grades 9 to 12, inclusive.

33 (d) On or before July 1, 2010, a regional occupational center  
34 or program may claim no more than 10 percent of the  
35 state-funded average daily attendance for which the center or  
36 program is eligible, for services provided to students who are not  
37 enrolled in grades 9 to 12, inclusive, *and up to an additional 5*  
38 *percent for CalWorks and Job Corps participants and*  
39 *participants under the federal Workforce Investment Act of 1998*

1 (29 U.S.C. Sec. 2810 et seq.) who are enrolled in Intensive  
2 Training services.

3 (e) Notwithstanding subdivisions (b), (c), and (d), a regional  
4 occupational center or program that claims more than 40 percent  
5 of its students are not enrolled in grades 9 to 12, inclusive, on  
6 January 1, 2007, shall submit a letter to the Superintendent by  
7 July 1 of each year until it complies with *this* subdivision,  
8 outlining the goals of the regional occupational center or program  
9 to reduce the number of adult students in order to comply with  
10 subdivision (d) on or before July 1, 2013.

11 (f) Regional occupational centers and programs operated  
12 either in a rural county of the sixth or seventh class with school  
13 districts that generate a combined average daily attendance of  
14 under 13,000 or in a county that has only one school district that  
15 generates an average daily attendance of under 13,000, may  
16 exceed the number of adults by an additional 10 percent of the  
17 limits established in subdivisions (a), (b), and (c).

18 (g) For purposes of this calculation, adult average daily  
19 ~~attendance attributable to CalWORKs and funded from a specific~~  
20 ~~appropriation in the annual Budget Act for this purpose, and~~  
21 *attendance attributable to* continuously enrolled grade 12 pupils  
22 who have not passed the high school exit examination pursuant  
23 to Section 60851 ~~are~~ *is* excluded from the calculation under this  
24 section. Any and all amounts that may become available from  
25 any reductions resulting from the enactment of this section shall  
26 be redirected to other regional occupational centers or programs  
27 to serve additional secondary pupils.

28 ~~SEC. 9.~~

29 *SEC. 10.* Section 52303 of the Education Code is amended to  
30 read:

31 52303. "Regional occupational program," as used in this  
32 chapter, means a sequence of career technical or technical  
33 training programs that meet the criteria and standards of  
34 instructional programs in regional occupational centers and are  
35 conducted in a variety of physical facilities that are not  
36 necessarily situated in one single plant or site.

37 ~~SEC. 10.~~

38 *SEC. 11.* Section 52314 of the Education Code is amended to  
39 read:

52314. (a) (1) Except as provided in subdivision (b), any pupil eligible to attend a high school or adult school in a school district subject to the jurisdiction of a county superintendent of schools operating a regional occupational center or regional occupational program, and who resides in a school district which by itself or in cooperation with other school districts, has not established a regional occupational center, or regional occupational program, is eligible to attend a regional occupational center or regional occupational program maintained by the county superintendent of schools. Any school district which in cooperation with other school districts maintains a regional occupational center, or regional occupational program, or any cooperating school districts may admit to the center, or program, any pupil, otherwise eligible, who resides in the district or in any of the cooperating districts. Any school district which by itself maintains a regional occupational center, or regional occupational program, may admit to the center, or program, any pupil, otherwise eligible, who resides in the district. No pupil, including adults under Section 52610 shall be admitted to a regional occupational center, or regional occupational program, unless the county superintendent of schools or governing board of the district or districts maintaining the center, or program, as the case may be, determines that the pupil will benefit therefrom and approves of his or her admission to the regional occupational center or regional occupational program.

(2) Adult students shall not be enrolled in regional occupational center or program courses during the ~~school day~~ *school day* on a high school campus unless specifically authorized by the policy of the governing board of the school district.

(3) A pupil may be admitted on a full-time or part-time basis, as determined by the county superintendent of schools or governing board of the school district or districts maintaining the center, or program, as the case may be.

(b) A pupil is not eligible to be admitted to a regional occupational center or program, and his or her attendance shall not be credited to a regional occupational center or program, until he or she has attained the age of 16 years, unless the pupil meets one or more of the following conditions:

(1) The pupil is enrolled in grade 11 or a higher grade.

(2) The pupil received a referral and all of the following conditions are met:

(A) The pupil is referred to a regional occupational center or program as part of a comprehensive high school plan that has been approved by a school counselor or school administrator and the pupil's parents or guardian.

(B) The pupil's comprehensive high school plan requires referral to a regional occupational center or program as part of a sequence of vocational courses that allows the pupil to learn a ~~high-skill~~ *comprehensive skill* occupation that culminates in earning a ~~community college~~ *postsecondary* vocational certificate or diploma or its equivalent.

(C) The pupil is enrolled in a school that maintains any of grades 9 to 12, inclusive.

~~(D)~~

(3) The individualized education program of a pupil adopted pursuant to the requirements of Chapter 4 (commencing with Section 56300) of Part 30 prescribes occupational training for which his or her enrollment in a regional occupational center or program is deemed appropriate.

~~(3)~~

(4) The pupil is enrolled in grade 10 and has a comprehensive high school plan that has been approved by a school counselor and the parent or legal guardian of the pupil, and the admission of that pupil will not result in the denial of admission or displacement of pupils in grades 11 and 12 that would otherwise participate in the regional occupational center or program.

(c) (1) Each school district, county superintendent of schools, or joint powers agency that maintains a regional occupational center or regional occupational program shall submit to the department, at the time and in the manner prescribed by the Superintendent, the enrollment and average daily attendance for each grade level and the enrollment and average daily attendance for each exemption set forth in subdivision (b).

(2) The department shall submit this information to the education and budget committees of the Legislature, the Legislative Analyst's Office, and the Director of Finance by April 1 of each year for the preceding school year.

~~SEC. 11.~~

*SEC. 12.* Section 52314.5 of the Education Code is amended to read:

52314.5. A regional occupational center or program established and maintained by a county superintendent of schools, school districts, or joint power agencies pursuant to Section 52301 shall admit youths between the ages of 15 to 18 years who are eligible to attend a high school in a school district, but who have not been enrolled on a full-time or part-time basis for a period of more than three months during the regular school year, if all of the following apply:

(a) The center or program, in conjunction with the appropriate school district, develops a comprehensive high school plan that describes the academic and vocational instruction that will be provided to the pupil.

(b) The pupil's parents or guardian approves the comprehensive plan in writing.

(c) The pupil enrolls in the appropriate adult school or high school courses that are needed to satisfy the comprehensive high school plan.

~~SEC. 12.~~

*SEC. 13.* Section 52314.6 of the Education Code is repealed.

~~SEC. 13.~~

*SEC. 14.* Section 52314.7 of the Education Code is repealed.

~~SEC. 14.~~

*SEC. 15.* Section 52315 of the Education Code is amended to read:

52315. (a) Any visually impaired, orthopedically impaired, or deaf person who is not enrolled in a regular high school or community college program may attend a regional occupational center or regional occupational program pursuant to the requirements described in Section 52314.5. Additional special instruction and support services shall be provided to these persons.

(b) If the Superintendent determines that there would be a duplication of effort to these impaired persons if a regional occupational center or regional occupational program provided services to them, in that other programs exist that are available to them, the Superintendent may disapprove of the curriculum to provide programs to these impaired persons pursuant to Section

1 52309 and of any state funding made available pursuant to  
2 Section 41897 for these purposes.

3 *SEC. 16. Section 52321 of the Education Code is amended to*  
4 *read:*

5 52321. (a) (1) A regional occupational center or program  
6 established and maintained by school districts or joint powers  
7 agencies pursuant to Section 52301 shall receive in annual  
8 operating funds from each of the participating school districts an  
9 amount per unit of average daily attendance equal to the revenue  
10 limit received by those districts for each unit of average daily  
11 attendance generated in the regional occupational center or  
12 program.

13 **A**

14 (2) A regional occupational center or program established and  
15 maintained by a county superintendent of schools pursuant to  
16 Section 52301 shall receive funding pursuant to Section 2550. A  
17 county superintendent of schools shall report average daily  
18 attendance to the Superintendent of Public Instruction for that  
19 funding.

20 (b) Any regional occupational center or program is authorized  
21 to (1) budget and accumulate an amount necessary to meet the  
22 ~~cash-flow~~ *cashflow* needs of the regional occupational center or  
23 program known as a general reserve, and (2) budget and  
24 accumulate amounts known as the designated fund balance and  
25 as the unappropriated fund balance. Alternatively, ~~for regional~~  
26 ~~occupational centers or programs established and maintained by~~  
27 ~~school districts or joint powers agencies,~~ a center or program  
28 may budget ~~an amount~~ *and accumulate amounts* necessary to  
29 meet ~~its long-term program needs of the regional occupational~~  
30 ~~center or program in a separate account~~ known as *the* capital  
31 ~~outlay expenditures or~~ *and equipment replacement reserve*  
32 *account, and this account shall be part of the designated fund*  
33 *balance.* At the end of ~~any each~~ school year, ~~subject to the~~  
34 ~~exception provided in paragraph (2) of subdivision (c), the net~~  
35 ~~ending balance in the regional occupational center or program~~  
36 ~~account may be distributed to any of the reserved general~~  
37 ~~reserve, designated fund balance, and unappropriated fund~~  
38 ~~balance accounts, provided that the combined total transferred~~  
39 ~~distributed~~ does not exceed 15 percent of the ~~previous current~~  
40 *school year's expenditures.*

(1) The general reserve, the designated fund balance, *including the capital outlay and equipment replacement reserve account*, and the unappropriated fund balance, ~~and the capital outlay expenditures or equipment replacement reserve account~~ shall be available for appropriation only after approval by a majority vote of the governing body of the regional occupational center or program.

(2) Funds of ~~any regional occupational centers or programs established and maintained by school districts or joint powers agencies center or program~~ shall be distributed to the capital outlay ~~expenditures or~~ and equipment replacement reserve account only upon adoption by the governing board of a resolution specifying the general use to which each appropriation from the account would be put.

(c) (1) At the end of ~~any each~~ school year, the combined ~~net~~ ending balances of the general reserve, the designated fund balance, *except the capital outlay and equipment replacement reserve account*, and the unappropriated fund balance ~~in excess of~~ shall not exceed 15 percent of the ~~previous current~~ fiscal year's expenditures ~~shall be returned to the districts participating in the regional occupational center or program in proportion to the district's contribution to the regional occupational center or program. The county superintendent of schools shall reduce the revenue limit of the districts by an amount equal to the excess reserves that are required to be returned to the districts. Net ending balances in excess of 15 percent, except those funds specifically set aside by the board and restricted to capital outlay expenditures or equipment replacement, in county-operated regional occupational centers or programs shall reduce the revenue limit of the county superintendent program by an amount equal to the excess reserves in that program.~~

(2) ~~A~~ Any regional occupational center or program established and maintained by school districts or joint powers agencies may accumulate, over a period of two or more school years, a net ending balance in the capital outlay ~~expenditures or~~ and equipment replacement reserve account of more than 15 percent of the ~~previous current~~ fiscal year's expenditures, under provisions of a resolution of the governing board pursuant to paragraph (2) of subdivision (b).

(d) ~~With the exception of ending balances governed by Section 2558.5, funds~~ Funds placed in either the general reserve, the designated fund balance, *including the capital outlay and equipment replacement reserve account*, or the unappropriated fund balance, ~~or the capital outlay or equipment replacement accounts~~, shall be expended only for regional occupational center or program educational purposes.

(e) *The Superintendent shall require an annual certification by school districts, county superintendents of schools, and joint power agencies commencing in the 2007–08 fiscal year that the regional occupational center or program funds have been expended as provided in this section. The Superintendent shall withhold from a subsequent year’s apportionment, any ending fund balance in excess of 15 percent of the previous year’s expenditures, except those funds specifically set aside by the governing board in the capital outlay and equipment replacement reserve account.*

~~SEC. 15.~~

*SEC. 17.* Section 52325 of the Education Code is repealed.

~~SEC. 16.~~

*SEC. 18.* Section 52326 of the Education Code is repealed.

~~SEC. 17.~~

*SEC. 19.* Section 52334.5 is added to the Education Code, to read:

52334.5. (a) Within existing resources, the department shall conduct monitoring reviews of each regional occupational center or program at least once every four years for compliance with applicable state laws and regulations, to provide focused and targeted technical assistance and support, and to assist with the remediation of identified deficiencies.

(b) The department, in consultation with local regional occupational centers or programs, shall develop a monitoring instrument focused on all of the following:

(1) The regional occupational center or program administration and instructional programs.

(2) The alignment of curriculum with standards.

(3) The sequencing of courses in a pathway articulated with middle schools, campus-based secondary school courses, and postsecondary educational institutions.

(4) Teacher credentials.



- 1 (5) Counseling and guidance.
- 2 (6) Business and industry involvement.
- 3 (7) Local labor market review.
- 4 (8) Required actions of local governing boards.
- 5 (9) Other components determined by the Superintendent.

6 ~~SEC. 18.~~

7 *SEC. 20.* Section 52335.12 is added to the Education Code, to  
8 read:

9 52335.12. (a) As a condition of receiving additional funding  
10 based on average daily attendance, the regional occupational  
11 center or program shall report annually to the department the  
12 academic and workforce preparation progress of the secondary  
13 pupils enrolled in the center or program. Indicators to measure  
14 that progress shall include, but are not limited to, the  
15 Standardized Testing and Reporting (STAR) Program, pursuant  
16 to Article 4 (commencing with Section 60640) of Chapter 5 of  
17 Part 33; the high school exit examination, pursuant to Chapter 9  
18 (commencing with 60850) of Part 33; and other indicators of  
19 academic and workforce preparation success, such as reduced  
20 dropout rates, workforce preparation, increased matriculation  
21 into postsecondary educational institutions, and other measures  
22 as determined by the department.

23 (b) This section shall become effective only when the  
24 longitudinal data on pupils enrolled in regional occupational  
25 centers and programs can be disaggregated from the California  
26 longitudinal pupil achievement data system (CALPADs)  
27 database, established pursuant to Chapter 10 (commencing with  
28 Section 60900) of Part 33.

29 ~~SEC. 19.~~

30 *SEC. 21.* Section 52335.7 of the Education Code is repealed.

31 ~~SEC. 20.~~

32 *SEC. 22.* Section 52335.8 of the Education Code is repealed.

33 ~~SEC. 21.~~

34 *SEC. 23.* Section 52335.9 of the Education Code is repealed.

35 ~~SEC. 22.~~

36 *SEC. 24.* Section 52335.10 of the Education Code is repealed.

37 *SEC. 25.* *Article 1.4 (commencing with Section 78018) is*  
38 *added to Chapter 1 of Part 48 of the Education Code, to read:*

1           Article 1.4. Vocational Education Coordination Plan

2  
3       78018. (a) Upon receiving federal funds provided under the  
4 Carl D. Perkins Vocational and Applied Technology Act of 1998  
5 (20 U.S.C. Sec. 2301 et seq.) or any successor thereof, a  
6 community college shall develop a plan for enabling the  
7 development of course sequences that span courses provided in  
8 kindergarten and grades 1 to 12, inclusive, courses provided by  
9 regional occupational centers or programs, and courses  
10 provided by community college vocational education programs.  
11 The community college shall consult with the school districts and  
12 regional occupational centers or programs in the area served by  
13 the college, and with the relevant local workforce investment  
14 board, in the development of the plan. The plan shall do all of the  
15 following:

16       (1) Identify the occupational areas in which the college and  
17 high schools or regional occupational centers and programs  
18 offer instruction.

19       (2) Describe the plan the community college will follow to  
20 create the sequences required under subdivision (c) of Section  
21 52302.

22       (3) Establish an institution-wide process and criteria for  
23 awarding community college credit for vocational courses taken  
24 by pupils in high school or through the regional occupational  
25 center or program.

26       (b) The plan shall be adopted by the governing board of the  
27 community college district on or before July 1, 2008. Copies of  
28 the plan shall be submitted to the appropriate school districts  
29 and regional occupational centers or programs, and the  
30 chancellor.